IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5702 OF 2004

M/s.Metallurgy Collaboration. ..Petitioner.

Vs.

Shrikant Mallappa Dongare. ..Respondent.

.....

Mr.T.D.Deshmukh with Mr.A.A.Kumbhakoni for the Petitioner.

Mr.V.B.Naik for the Respondent.

.....

CORAM : DR.D.Y.CHANDRACHUD, J.

June 5, 2006.

P.C. :

The landlord's suit for eviction came to be decreed. At the appellate stage, the tenant moved an application for amendment seeking to bring the Co-operative Housing Society on record. It is inconceivable that such a relief could be granted in the suit for eviction instituted by the landlord. In the circumstances, the Learned Ditrict Judge was justified in dismissing the application. There is no merit in the petition

which is accordingly dismissed.